

Exhibit 112:

SOR Backgrounder [MSP 1559-1563]

December 2021

Michigan Sex Offender Registry Backgrounder

I. Sex Offenders Registration Act Overview

The Michigan Sex Offender Registry (SOR) is a database containing the names, addresses, and listed offense information of all persons in Michigan convicted of certain sexual offenses. The complete SOR is only available for law enforcement purposes.

The SOR was established in 1994 by the Michigan Sex Offenders Registration Act (Public Acts 286, 287, 294 and 355 of 1994). The Act created the SOR database in response to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (42 USC 14071 et seq.) of 1994. This federal act required states to establish specific requirements for persons convicted of certain crimes against minors and those convicted of sexually violent offenses.

The Michigan SOR Act established the Michigan Department of State Police (MSP) as the keeper of the registry and the repository for SOR data. As such, the department works closely with the legislature to ensure any changes made to the Sex Offender Registration Act comply with federal requirements.

In addition, MSP posts, like other law enforcement agencies, serve as locations where sex offenders can verify and/or change their addresses. MSP enforcement personnel also participate in sex offender enforcement initiatives and arrest non-compliant sex offenders.

For a complete summary of SOR legislation, please visit the [MSP SOR Website](#).

A. Registry Requirements

The SOR Act requires all sex offenders in Michigan to register their address with law enforcement after conviction, prior to sentencing. Offenders remain on the registry for 15 years, 25 years, or life, depending on their tier level. Prison/jail time is not included when calculating the end registration date.

After registering, offenders must report to a law enforcement agency (the city/township police department, county sheriff, or the nearest MSP post to the address where the offender resides) to verify their address according to the schedule below:

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TIER 1

| Birth Month | Reporting Months |
|--------------------|-------------------------|
| January | January |
| February | February |
| March | March |
| April | April |
| May | May |
| June | June |
| July | July |
| August | August |
| September | September |
| October | October |
| November | November |
| December | December |

TIER 2

| Birth Month | Reporting Months |
|--------------------|-------------------------|
| January | January and July |
| February | February and August |
| March | March and September |
| April | April and October |
| May | May and November |
| June | June and December |
| July | January and July |
| August | February and August |
| September | March and September |
| October | April and October |
| November | May and November |
| December | June and December |

TIER 3

| Birth Month | Reporting Months |
|--------------------|--------------------------------------|
| January | January, April, July, and October |
| February | February, May, August, and November |
| March | March, June, September, and December |
| April | January, April, July, and October |
| May | February, May, August, and November |
| June | March, June, September, and December |
| July | January, April, July, and October |
| August | February, May, August, and November |
| September | March, June, September, and December |
| October | January, April, July, and October |
| November | February, May, August, and November |
| December | March, June, September, and December |

Incarcerated offenders are not subject to verification requirements.

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The penalty for failing to verify an address is a misdemeanor. The penalty for failing to sign the registration, notification, or verification form is a misdemeanor. The penalty for failure to pay the registration fee is a misdemeanor. Any other violations carry a graduated penalty ranging from a four-year felony to a ten-year felony.

B. Michigan Sex Offenders Registration Act Violations

Individuals not in compliance with the SOR Act are offenders who:

- Fail to register
- Fail to change their address when they move or vacate a residence
- Fail to verify their address
- Fail to pay the \$50 one-time registration fee and/or \$50 annual fee
- Fail to sign a registration, notification, or verification form
- Fail to provide or update campus information
- Fail to provide or update vehicle information
- Fail to provide or update employment information
- Fail to provide name change
- Fail to report email address(es) and/or internet identifiers
- Fail to maintain a valid Michigan driver's license or personal identification card
- Reside, work, or loiter within 1,000 feet of a school

The SOR Act allows an arrest warrant to be authorized by a prosecutor for a non-compliant offender. After a warrant is entered into the Law Enforcement Information Network, the non-compliant offender can be apprehended during a traffic stop or any other contact with law enforcement. In addition, law enforcement agencies conduct periodic sex offender sweeps during which offenders' addresses are confirmed, and non-compliant offenders are actively sought.

Law enforcement relies on the public to help identify non-compliant offenders as well. Citizens are encouraged to contact their local law enforcement agency if they think someone is in violation of the SOR Act.

II. Public Sex Offender Registry

Similar to the SOR, the Public Sex Offender Registry (PSOR) is a website displaying the names, addresses, vehicle and employment information, and listed offense information of persons living in Michigan convicted of certain sexual offenses.

When first established in 1996, the PSOR was only accessible to the public by visiting a local law enforcement agency to view a paper copy of the list. In 1999, as a result of Public Act 85, the PSOR became available online at <http://www.mipsor.state.mi.us/>.

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The current site allows the public to view information on registered sex offenders using six search types to include Name, City, Non-compliant, County, Zip Code, and “In Your Area”. Users are also allowed to perform a radial search for an offender living within .25, .5, 1, 2, or 5 miles from a specified address.

The public internet website shall not include the following individuals:

- A. An individual registered solely because he or she had 1 or more dispositions for a listed offense entered under section 18 of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18, in a case that was not designated as a case in which the individual was to be tried in the same manner as an adult under section 2d of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.2d.
- B. An individual registered solely because he or she was the subject of an order of disposition or other adjudication in a juvenile matter in another state or country.
- C. An individual registered solely because he or she was convicted of a single tier I offense, other than an individual who was convicted of a violation of any of the following:
 - i. Section 145c(4) of the Michigan penal code, 1931 PA 328, MCL 750.145c.
 - ii. A violation of section 335a(2)(b) of the Michigan penal code, 1931 PA 328, MCL 750.335a, if a victim is a minor.
 - iii. Section 349b of the Michigan penal code, 1931 PA 328, MCL 750.349b, if the victim is a minor.
 - iv. Section 539j of the Michigan penal code, 1931 PA 328, MCL 750.539j, if a victim is a minor.
 - v. An offense substantially similar to an offense described in subparagraphs (i) to (v) under a law of the United States that is specifically enumerated in 42 USC 16911, under a law of any state or any country, or under tribal or military law.

Other offenders not included on PSOR include offenders living and registered in another state, offenders granted removal from the registry, and offenders whose duration has ended. In addition, those individuals who are deceased are removed from the PSOR following the submission of a death certificate.

A. Offender Photographs

Public Act 238 of 2004 requires the PSOR to include the photograph of each individual registered under the SOR Act. To fulfill this requirement, PA 238 allows the MSP to obtain photographs from the Michigan Secretary of State. The Michigan

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State Police must use an arrest photo or Michigan Department of Corrections photo until a photo from the Michigan Secretary of State is available.

III. Sex Offender Registry Statistics

Statistics are updated monthly following the mandated verification periods.

As of December 2, 2021:

- 43,964 active registered sex offenders are in the SOR database
 - 8,577 offenders are incarcerated
 - 35,385 offenders must verify their address either yearly, semi-annually, or quarterly
- 39,607 offender records appear on the Public Sex Offender Registry

Following the November 2011 verification period:

- 27,707 offenders were in compliance
- 7,679 offenders failed to comply

Note: Statistical comparisons among states are often inaccurate because each state has different requirements for who is required to register and how statistics are reported.

IV. Additional Information and Resources

National Sex Offender Registry: <http://www.nsopr.gov/>

The Center for Sex Offender Management: <http://www.csom.org/>